

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

FILED

MAY 26 1999

ROBERT D. DENNIS, CLERK
U.S. DIST. COURT, WESTERN DIST. OF OKLA.
BY DEPUTY

DOCKETED

EARL GENE CAULEY, JR.,
INDIVIDUALLY AND DERIVATIVELY
ON BEHALF OF FLEMING COMPANIES,
INC.

Plaintiff,

v.

Case No. CIV-96-1679-M

96-1808-M ✓

ROBERT E. STAUTH; R. RANDOLPH
DEVENING; DONALD N. EYLER,
E. DEAN WERRIES, ARCHIE R. DYKES
CAROL B. HALLET, R. D. HARRISON,
LAWRENCE M. JONES, EDWARD C.
JOULLIAN III, HOWARD H. LEACH,
JOHN A. MCMILLAN, GUY A. OSBORN,
HAROLD L. WINN, JR. and KEVIN J.
TWOMEY, JAMES STUARD, and DOES 1-20

Defendants.

AND

FLEMING COMPANIES, INC.

Nominal Defendant.

RICHARD ROSENBERG, INDIVIDUALLY)
AND DERIVATIVELY ON BEHALF OF)
FLEMING COMPANIES, INC.,)

Plaintiff,)

v.)

Case No. CIV-96-1808-M ✓

ROBERT E. STAUTH; R. RANDOLPH)
DEVENING; DONALD N. EYLER,)
E. DEAN WERRIES, ARCHIE R. DYKES,)
CAROL B. HALLET, LAWRENCE M. JONES,)
EDWARD C. JOULLIAN III,)
HOWARD H. LEACH, JOHN A. MCMILLAN,)
GUY A. OSBORN, JACK W. BAKER,)
WILLIAM J. DOWD, HARRY L. WINN, JR.,)
KEVIN J. TWOMEY, JAMES STUARD,)
GERALD G. AUSTIN, E. STEPHEN DAVIS,)
THOMAS L. ZARICKI, PAUL JOHNSON,)
WILLIAM M. LAWSON, JR.,)
VERNON FLOYD, DICK JUDD and)
DOES 1-20)

Defendants.)

AND)

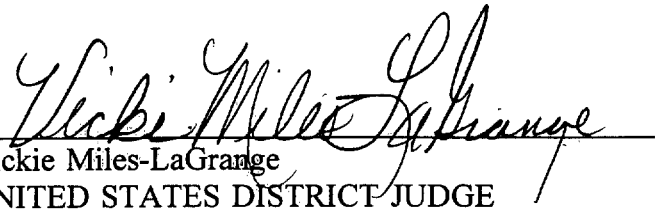
FLEMING COMPANIES, INC.)

Nominal Defendant.)

ORDER OF CONSOLIDATION

The Court has considered the parties' joint motion to consolidate the above captioned and numbered cases for the purposes of determining whether the Stipulation of Compromise and Dismissal entered in to by the parties should be approved by the court pursuant to F.R.Civ. P. 23.1 and determines that said motion should be granted. It is therefor

ORDERED that the above styled and numbered cases are consolidated for the purpose of determining whether the Stipulation of Compromise and Dismissal executed by the parties should be approved by the Court.


Vickie Miles-LaGrange
UNITED STATES DISTRICT JUDGE